

REMARKS

Claims 9, 10 and 17 remain in this application. Claims 11-16 have been canceled.

In the Office Action dated August 3, 2004, the Examiner rejected, in particular, independent claim 9 of the present application under 35 U.S.C. §102(e) as being anticipated by Salmela et al. (U.S. Patent No. 6,516,193). For the following reasons, Applicants respectfully traverse the Examiner's rejection and respectfully request the withdrawal thereof.

First of all, Applicants note that independent claim 9 of the present application has been amended so as to include the amended method step of "updating the position of the mobile communication terminal during the call, wherein the position update is SCP initiated by a USSD request with time intervals of the update being service-specific." In addition, independent claim 9 clarifies "wherein location information available in the mobile communication terminal is ascertained by an SIM tool kit available at the mobile communication terminal."

Applicants respectfully submit that while the Salmela reference may disclose the use of an intelligent network, the particular method disclosed therein merely uses a request of the mobile station to the network (see, for example, Col. 3, lines 43-44). The USSD or short message disclosed in the Salmela reference is simply used to transmit information to the mobile station; particularly, via special cells (see, for example, Col. 4, lines 35-45). Moreover, Salmela does not teach or suggest that the time interval between position updates is service-specific as per the claimed invention. Indeed, Salmela only states that "the message for triggering the intelligent network service is sent only when the above-mentioned identifier indicates that the mobile station carrying out location updating..." (See, for example, Col. 7, lines 45 ff).

In light of the above, Applicants respectfully submit that independent claim 9 of the present application, as amended, as well as claims 10 and 17 which respectfully depend therefrom, are both novel and non-obvious over the art of record. Accordingly, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

It is further acknowledged that a two-month extension of time of \$450.00 is due in connection with this response at this time. If any additional fees are due in connection with this Application as a whole, the office is hereby authorized to deduct said fees from deposit account number 02-1818. If such a deduction is made, please indicate the Attorney Docket No. (0112740-518) on the account statement.

Respectfully submitted,

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